

UNITED STATES DISTRICT COURT

for the

SOUTHERN DISTRICT OF TEXAS

United States of America)

v.)

AARON WOOD)

Defendant(s)

Case No. C-15-425M

Clerk, U.S. District Court
Southern District of Texas
FILED

APR 14 2015

David J. Bradley, Clerk of Court

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 4/13/2015 in the county of BROOKS in the
SOUTHERN District of TEXAS, the defendant(s) violated:

Code Section

Offense Description

TITLE 21
U.S.C. 841 (a) (1)Knowingly, intentionally and unlawfully
possess with the intent to distribute a
controlled substance in Schedule II of
the controlled Substance Act of 1970 to
wit: 1.29 Kilograms (agw) of Cocaine.

This criminal complaint is based on these facts:

see attachment

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence.

Date:

April 14, 2015

City and state: Corpus Christi, Texas

Complainant's signature

Kody Harrison, DEA-Task Force Officer

Printed name and title

Judge's signature

Jason B. Libby, US Magistrate Judge

Printed name and title

Attachment "A"

On Sunday April 12, 2015, Border Patrol Agent Wilmer Torres and Border Patrol Agent Nestor Hernandez with his Service Canine Tar were assigned to traffic check duties at the United States Border Patrol Checkpoint south of Falfurrias, Texas on Highway 281. At approximately 22:00 PM, the driver of a grey Mitsubishi Endeavor bearing license plate number TX DR7-P998 stopped at the primary inspection lane for an immigration inspection of the occupants. Border Patrol Agent Wilmer Torres asked the driver, later identified as Aaron Dwain Wood as to his citizenship. The subject stated that he was a United States Citizen. As WOOD stated his citizenship Border Patrol Agent Wilmer Torres noticed that he sounded nervous as he was speaking and stuttered when responding. Border Patrol Agent Wilmer Torres questioned WOOD where he was going and he again stuttered saying "back to Victoria". During the interview of WOOD, Agent Hernandez and his Canine Tar performed a free air sniff of the exterior of the vehicle. Border Patrol Agent Wilmer Torres then asked WOOD if the vehicle was his and where he was coming from. He then stated the vehicle was his step's mother and that he was coming from the Valley. At that time, Agent Hernandez advised Border Patrol Agent Wilmer Torres that his Canine Tar was alerting to the vehicle and to direct WOOD to the secondary area for further inspection of the vehicle's contents. Border Patrol Agent Wilmer Torres then asked WOOD if we could perform a search of the vehicle in which he replied "yes". At this time, Border Patrol Agent Wilmer Torres told him to place his vehicle in the secondary area.

While at the secondary area, Border Patrol Agent Foster began to search the contents of the vehicle with consent from WOOD. Further inspection of the vehicle revealed drugs hidden inside the dashboard behind the radio of the vehicle. Agent Foster and Agent Hernandez began to remove the dashboard and found two bundles of what was later identify as cocaine hidden behind the radio of the vehicle.

At this time, WOOD was placed under arrest. WOOD was taken into the Falfurrias, Texas United States Border Patrol Checkpoint. At that time, Border Patrol Agent J. Blanton read WOOD his Miranda Rights as per Service Form I-214 witnessed by Border Patrol Agent Wilmer Torres. WOOD stated he understood his rights and signed accordingly. WOOD was asked if he wished to have a lawyer present, he stated no and was willing to answer questions at this time.

WOOD stated he borrowed his step-mother's vehicle to visit his girlfriend in McAllen, Texas. WOOD stated he left Victoria, Texas where he resides, on Friday April 10, 2015 at approximately 12:00 P.M. Border Patrol Agent Wilmer Torres asked WOOD the address where he was staying but WOOD was not able to provide an address. When questioned

about the narcotics found in the vehicle, WOOD claimed no knowledge of the narcotics. WOOD claimed to be the only person with access to the vehicle.

On April 13, 2015, TFO Kody Harrison and TFO James Pool arrived at Falfurrias USBP Checkpoint and took custody of WOOD. WOOD was taken to the DEA onsite office. Upon arrival in the DEA onsite office, WOOD was read his Miranda rights and gave the same story as he had given to Border Patrol. TFO Harrison pointed out discrepancies in his story and gave WOOD an opportunity to start fresh and tell TFO Harrison the truth.

At this point, WOOD stated that upon arriving in McAllen, Texas he had gotten into an argument with his girlfriend and had gone to Walmart to buy sunglasses. While exiting his vehicle, two Hispanic males had approached him and offered him money to transport something to Victoria, Texas. He then drove his vehicle to a Mexican restaurant and left his keys in the car and they loaded it while he ate. WOOD stated that he then drove to his girlfriend's house. She was not there so he left, got gas and headed directly to the checkpoint. TFO Harrison advised WOOD that his story had an 8 hour gap of missing time and TFO Harrison was going to pull video from Walmart and the Mexican restaurant.

At this point, WOOD changed his story again and advised that he knows a drug dealer in Cuero, Texas named Anthony Cervantes who offered him \$500 dollar to drive one of Cervantes vehicles to McAllen, Texas and pick up the vehicle in which WOOD was arrested in at the checkpoint. WOOD advised that the vehicle was parked on the side of the road in McAllen. WOOD stated that when he got into the vehicle he noticed that it was clean and checked the vehicle for drugs. Wood stated that he was nervous at the when he arrived at the checkpoint because he thought there were drugs in the vehicle. This interview was digitally recorded.

1.29 Kilograms (AGW) of Cocaine were located in the vehicle. The amount of drugs seized infers the intent to distribute.

AUSA Chad Cowen was advised of the incident and authorized prosecution.